

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-49 are pending in this application. Claims 1, 17, 31 and 38 are amended by the present response. Support for amendments to the claims can be found in the originally filed disclosure. Thus, no new matter is added.

In the outstanding Office Action, Claims 1, 5-7, 10, 17-18, 21, 31, and 48-49 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lockwood (U.S. Pat. No. 4,567,359) in view of Kanazawa et al. (U.S. Pat. No. 2003/0158758 A1, herein “Kanazawa”); Claims 2-3, 13, 22, 28, and 47 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lockwood in view of Kanazawa, further in view of Ando et al. (U.S. Publication Number 2002/0013717 A1 herein “Ando”); Claims 4, 8-9, 12, 19-20, 24-26, 32, and 34-37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lockwood in view of Kanazawa further in view of Ryan et al. (U.S. Publication No. 2003/0187768 A1, herein “Ryan”); and Claims 11, 23-24, 26, 34, and 36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lockwood and Kanazawa, and further in view of Maus et al. (U.S. Patent Number 7,092,891, herein “Maus”).

Addressing now the rejection of Claims 1, 5-7, 10, 17-18, 21, 31, and 48-49 under 35 U.S.C. §103(a) as unpatentable over Lockwood and Kanazawa, Applicants respectfully traverse this rejection.

Amended Claim 1 recites, in part,

- a. collecting self-reported information relating to the insurable risk from an applicant;
- b. collecting objective information relating to the insurable risk from the applicant by measuring, in a single session at a single kiosk, physiological aspects of the applicant using a medical measuring device;

- c. providing the self-reported information and the objective information collected in the single session to an automated underwriting system located in the single kiosk;
- d. evaluating and rating the insurable risk of the applicant by performing an individualized risk analysis calculation at the automated underwriting system located in the single kiosk based on the self-reported information and the objective information; and
- e. providing an insurance offer relating to a specific insurance product based on the rated insurable risk for review and acceptance by the applicant.

Claims 17, 31 and 38 recite similar features with regard to measuring physiological aspects of the applicant in a single session located in the single kiosk and performing an individualized risk analysis calculation at the automated underwriting system located in the single kiosk.

Lockwood describes a system for automatically dispensing information, goods and services to a customer. Further, Lockwood describes a system that provides insurance quotes from several companies based on information entered by a customer via a touch pad 13 displayed on a monitor screen.

Kanazawa discloses a health measurement apparatus that is used to obtain information about a subject.

However, the combination of Lockwood and Kanazawa fails to disclose collecting objective information relating to the insurable risk from the applicant by measuring, in a single session at a single kiosk, physiological aspects of the applicant using a medical measuring device, and evaluating and rating the insurable risk of the applicant by performing an individualized risk analysis calculation at the automated underwriting system located in the single kiosk based on the self-reported information and the objective information.

The Action cites Lockwood as disclosing the evaluating and rating the insurable risk recited in Claim 1. The Action asserts on page 3 that col. 7, lines 61-68 of Lockwood discloses this feature. Applicants respectfully traverse this assertion.

In particular, Claim 1, as amended, recites evaluating and rating the insurable risk of the applicant by performing an individualized risk analysis calculation at the automated underwriting system located in the single kiosk based on the self-reported information and the objective information.

As is noted above, Lockwood describes a system for automatically dispensing information, goods and services to a customer. In a certain sense, Lockwood is also an interactive system, transmitting bidirectional information between a central server and delocalized situated client stations (see e.g., col. 9, lines 48-65). However, the basic idea in Lockwood relates to simply selecting and providing already existing information to a customer based on the customer's input. In contrast to Lockwood, the claimed invention performs an individualized risk analysis calculation. Thus, while the claimed system is able to evaluate and rate the insurable risk of a customer, Lockwood merely selects already existing information.

Though Lockwood describes a system that displays insurance quotes from several companies based on information entered by a customer via a touch pad displayed on a monitor screen, Lockwood takes information relating to quotes from previously generated stored data (col. 9, 1.10), which is provided from each company which has products for sale.

Lockwood uses and selects fixed stored rate insurances. On the other hand, the claimed invention performs an individualized risk analysis calculation, determining the individual risk and providing the insurance contracts as binding contract on individual basis. In contrast, in Lockwood, any analysis is done by the different insurance companies before hand (col. 9, 1.6-12) and not by the system itself.

Thus, Lockwood cannot be asserted as being equivalent to the claimed invention, since the system of Lockwood can only select and transmit information already known and stored to the system.

Kanazawa does not cure the deficiencies of Lockwood with regard to evaluating and rating the insurable risk recited in Claim 1.

In addition, the combination of Lockwood and Kanazawa does not describe or suggest collecting objective information relating to the insurable risk from the applicant by measuring, in a single session *at a single kiosk*.

The Action acknowledges on page 3 that Lockwood does not disclose collecting objective information relating to the insurable risk from the applicant by measuring, in a single session. Applicants assert the Lockwood also does not disclose collecting the objective information at a single kiosk.

The Action relies on Kanazawa as disclosing collecting objective information relating to the insurable risk from the applicant by measuring, in a single session. However, Applicants respectfully submit that Kanazawa does not disclose collecting the objective information in a single session, at a single kiosk which also includes the automated underwriting system.

Kanazawa discloses a health measurement apparatus that is used to obtain information about a subject. Further, Kanazawa discloses heath measuring apparatuses 2 that are connected to a center apparatus 1 via a network. The health measurement and subsequent adjustment analysis disclosed in Kanazawa is not disclosed as being performed at a single kiosk. For instance, *nothing* in Kanazawa discloses that the heath measuring apparatus 2 also includes an automated underwriting system which performs an individualized risk analysis calculation. Furthermore, the adjustment analysis of Kanazawa which is performed at the central server cannot be asserted as being equivalent to the claimed automated underwriting system for reasons in addition to that fact that the adjustment is not performed at the health measurement apparatus. For instance, the adjustment of Kanazawa is not an individualized

risk analysis calculation based on both self-reported information and objective information obtained at the kiosk.

Thus, Applicants respectfully submit that Claim 1 and similarly Claims 17 and 31, and claims depending respectively therefrom, patentably distinguish over the combination of Lockwood and Kanazawa.

Moreover, the further cited Ryan, Ando and Maus references do not cure the above noted deficiencies of Lockwood and Kanazawa with regard to the claimed invention.

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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